

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
NEW ALBANY DIVISION**

**IN RE:**

**BRENDA C. MILLER  
DEBTOR**

}  
}

**CASE NO. 17-90830-BHL-13**

**MOTION TO MODIFY DEBTOR'S CHAPTER 13 PLAN  
AND NOTICE OF OBJECTION DEADLINE**

Comes now the above-captioned Debtor by Counsel, and files his Motion to Modify Debtors' Chapter 13 Plan. In support of this Motion, Counsel for the Debtor states as follows:

1. The Debtor was approved for a trial period plan agreement with Ditech Financial LLC during December, 2017 which required trial period payments of \$697.24 commencing January 1, 2018.
2. The Debtor has been approved for final modification with Ditech Financial, LLC which requires modified payments of \$652.46 per month to commence on May 1, 2018. The final loan modification will cure the existing arrearages.
3. The Debtor proposes to allow an additional claim held by Lloyd E. Koehler in the amount of \$1,850.00 attorney fee for the loan modification and an auditing fee of \$50.00 per month commencing during the month following the Court's approval of a final modification which will continue until the captioned case is discharged or until the debtor should surrender her residence. Counsel for the Debtor will file a separate application for supplemental compensation. Counsel for the Debtor's additional attorney fees shall be paid after an Order has been granted for supplemental compensation.

WHEREFORE, the Debtor, by Counsel, requests the Court to modify her plan as stated above. The Debtor's plan payments will increase from \$863.00 per month to \$878.00 per month commencing in May, 2018 for the remaining 49 months of the 60 month plan.

Dated this 10<sup>th</sup> day of May, 2018.

KOEHLER LAW OFFICE

By: /s/ Lloyd E. Koehler

Lloyd E. Koehler  
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400 Pearl St., Suite 200  
New Albany, Indiana 47150  
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/s/ Brenda C. Miller  
Brenda C. Miller

**NOTICE IS GIVEN THAT** any Objection must be filed with the Bankruptcy Clerk within **21 days** from the date of service [or such other time period as may be permitted by Fed.R.Bankr.P.9006(f)]. Those not required or not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

U.S. Bankruptcy Court  
110 U.S. Courthouse  
121 W. Spring Street  
New Albany, Indiana 47150

The objecting party must ensure delivery of the objection to the party filing the motion, (the Trustee – if not the movant or the objector) (and the Debtor – if not the movant or the objector). **If an objection is NOT timely filed, the requested relief may be granted.**

#### **CERTIFICATE OF SERVICE**

The undersigned certifies that on the 10<sup>th</sup> day of May, 2018 a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System:

Joseph M. Black, Jr., Chapter 13 Trustee: [jmbecf@trustee13.com](mailto:jmbecf@trustee13.com)  
U.S. Trustee: [ustpreion10.in.ecf@usdoj.gov](mailto:ustpreion10.in.ecf@usdoj.gov)

I further certify that a true copy of the foregoing Motion to Modify was sent via U.S. Mail this 10<sup>th</sup> day of May, 2018 to all parties attached hereto:

/s/ Lloyd E. Koehler  
Lloyd E. Koehler

Label Matrix for local noticing  
0756-4  
Case 17-90830-BHL-13  
Southern District of Indiana  
New Albany  
Thu May 10 09:38:49 EDT 2018

Cavalry SPV I, LLC  
500 Summit Lake Drive, Ste 400  
Valhalla, NY 10595-1340

Charlie Gordon  
Attorney at Law  
PO Box 20067  
Louisville, KY 40250-0067

Doyle & Foutty, PC  
41 E. Washington St. #400  
Indianapolis, IN 46204-3517

Lloyd & McDaniel, PLC  
11405 Park Rd. #200  
PO Box 436709  
Louisville, KY 40253-6709

Midland Fund  
2365 Northside Dr Ste 30  
San Diego, CA 92108-2709

Brenda C. Miller  
5670 W State Road 250  
Paris Crossing, IN 47270

~~Lloyd Koehler  
400 Pearl St. Ste 200  
New Albany, IN 47150-3451~~

Asset Acceptance, LLC  
28405 Van Dyke  
P. O. Box 2036  
Warren, MI 48090-2036

Cavalry SPV I, LLC  
500 Summitt Lake DR Ste 400  
Valhalla, NY 10595-1340

(c)DITECH  
332 MINNESOTA ST STE E610  
SAINT PAUL MN 55101-1311

(p)JEFFERSON CAPITAL SYSTEMS LLC  
PO BOX 7999  
SAINT CLOUD MN 56302-7999

MIDLAND FUNDING LLC  
PO Box 2011  
Warren, MI 48090-2011

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Elizabeth F. McCausland  
426 North Ferncreek Avenue  
Orlando, FL 32803-5442

~~Lloyd E Koehler5  
400 Pearl Street Ste 200  
New Albany, IN 47150-3451~~

Blatt Hasenmiller Leibsker & Moore LLC  
8910 Purdue Rd. Suite 320  
Indianapolis, IN 46268-1197

Centra Fcu  
3801 Tupleo Drive  
Columbus, IN 47201-7293

Ditech Financial LLC fka Green Tree Servicing  
P.O. Box 6154  
Rapid City, South Dakota 57709-6154

~~Koehler Law Office  
400 Pearl St, Ste 200  
New Albany, IN 47150-3451~~

Midland Credit Management, Inc. as agent for  
Asset Acceptance LLC  
Po Box 2036  
Warren MI 48090-2036

~~U.S. Trustee  
Office of U.S. Trustee  
101 W. Ohio St., Ste. 1000  
Indianapolis, IN 46204-1982~~

~~Joseph M. Black Jr.  
Office of Joseph M. Black, Jr.  
PO Box 846  
Seymour, IN 47274-0846~~

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Jeffcapsys  
16 Mcleland Rd  
Saint Cloud, MN 56303

Portfolio Rc  
120 Corporate Blvd Ste 1  
Norfolk, VA 23502

(d)Portfolio Recovery Associates, LLC  
POB 12914  
Norfolk VA 23541

Addresses marked (c) above for the following entity/entities were corrected  
as required by the USPS Locatable Address Conversion System (LACS).

Ditech  
332 Minnesota St Ste 610  
Saint Paul, MN 55101

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Ditech Financial LLC

End of Label Matrix	
Mailable recipients	17
Bypassed recipients	1
Total	18